

**UNITED STATES BANKRUPTCY COURT
WESTERN DISTRICT OF WISCONSIN**

In Re:

Maple Leaf Cheese Cooperative

Debtor(s).

Case Number: 3-20-13006-cjf

Adversary Case Number: 3-21-00039-cjf

Maple Leaf Cheese Cooperative

Plaintiff(s),

v.

Maple Leaf Cheesemakers, Inc.

Defendant(s).

PRETRIAL ORDER

TRIAL

A trial has been scheduled for:

Date: October 5, 2022

Time: 10:00 AM

Place: U.S. Federal Courthouse, 3rd Floor, Courtroom 350, 120
N. Henry Street, Madison, WI 53703

All parties agree that three days (10/5 – 10/7) will be sufficient and no continuances will be granted without good cause. **If the parties reach a settlement prior to the hearing, they are to notify the Court in writing within 48 hours of the hearing date. Otherwise, the parties must appear in person at the date and time indicated above.**

Presiding Judge: Furay

At the pretrial conference held on /Motion to Continue 7/18, the following were present: Attorney Timothy Hansen and Attorney Kristin Beilke.

ISSUES

As set forth in the pretrial statement.

PLEADINGS

No further pleadings are sought by any party.

FACTS STIPULATED

All facts admitted in the pleadings and facts not identified as contested in the pretrial statement or set out below as to be determined at trial are deemed to be stipulated. In addition, parties are encouraged to enter into stipulations as to background facts and facts that are not intended to be actively contested at trial.

FACTS TO BE DETERMINED AT TRIAL

As set forth in the pretrial statement.

DISCOVERY

Discovery Deadline: OTHER SCHEDULE: 1) Defendant's Expert Preliminary Report(s) be provided within 3 weeks and further they may provide written supplemental reports within 3 days following the deposition of the plaintiffs expert; 2) Discovery is suspended through August 24 for non experts and through 9/1 for experts.

EXHIBITS

At least **fourteen (14)** days prior to the trial date, all parties are to exchange and file with the court copies of all exhibits they intend to introduce in evidence. If no written objection as to foundation or authentication is made to the court and delivered to the proponent within **seven (7)** days of the receipt of the proposed exhibit, such objection is waived and all exhibits may be received in evidence without any further authentication or foundation, provided, however, that all other objections are preserved and may be asserted at trial. **Failure to make the required submission of the witness list or exhibit list is a waiver of the opportunity to present evidence.**

Each party shall clearly number each proposed exhibit in the order of its probable presentation at trial (each document shall be given a separate exhibit number) and prepare a list of those numbered exhibits with a very brief identification of each. Copies of that exhibit list shall be filed with the court and exchanged with the parties along with the copies of exhibits provided in the prior paragraph. When filing the Exhibit List and the exhibits in CM/ECF, each exhibit shall be filed as a separate attachment to the Exhibit List.

The Court requires that appraisals, along with the qualifications of the appraiser, be submitted by declaration in accordance with 28 U.S.C. § 1746. Appraisers should be present for cross-examination.

Exhibits filed electronically are not a sufficient substitute for "copies of exhibits" used by the judge during the conduct of the trial (see Courtroom Practice sheet).

WITNESSES

At least **fourteen (14)** days prior to the trial date the parties are to exchange and file with the court the names of all witnesses they intend to present at trial together with a brief summary of the area of testimony each witness will present. All reasonably anticipated objections to testimony and all motions to limit testimony of a witness identified by an opposing party shall be made within **seven (7)** days after receipt of the witness list required by this paragraph.

Designation of a nonparty witness on an opponents list of witnesses does not relieve a party of assuring the presence of that witness at trial if his or her testimony is desired.

FINDINGS OF FACT AND CONCLUSIONS OF LAW

Seven (7) days prior to the trial each party shall file with the court and serve on opposing parties proposed detailed findings of fact and conclusions of law. A brief memorandum of authority for the conclusions may be filed with the proposed findings and conclusions.

MOTIONS

All other motions must be set for hearing not less than 15 days before trial date.

Dated: July 19, 2022

BY THE COURT:

/s/ Catherine J. Furay

Hon. Catherine J. Furay
U.S. Bankruptcy Judge

Maple Leaf Cheese Cooperative,
Plaintiff
Maple Leaf Cheesemakers, Inc.,
Defendant

Adv. Proc. No. 21-00039-cjf

CERTIFICATE OF NOTICE

District/off: 0758-3

User: eADluser

Page 1 of 2

Date Rcvd: Jul 19, 2022

Form ID: NtcAdvTL

Total Noticed: 3

The following symbols are used throughout this certificate:

Symbol	Definition
+	Addresses marked '+' were corrected by inserting the ZIP, adding the last four digits to complete the zip +4, or replacing an incorrect ZIP. USPS regulations require that automation-compatible mail display the correct ZIP.

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Jul 21, 2022:

NONE

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.

Electronic transmission includes sending notices via email (Email/text and Email/PDF), and electronic data interchange (EDI). Electronic transmission is in Eastern Standard Time.

Recip ID	Notice Type: Email Address	Date/Time	Recipient Name and Address
ust	+ Email/Text: ustregion11.mi.ecf@usdoj.gov	Jul 19 2022 19:27:00	Office of the U. S. Trustee, 517 East Wisconsin Ave., Room 430, Milwaukee, WI 53202-4510
ust	+ Email/Text: USTPRegion11.MD.ECF@usdoj.gov	Jul 19 2022 19:27:00	Patrick S. Layng, Office of the U. S. Trustee, 780 Regent Street, Ste 304, Madison, WI 53715-2635
ust	+ Email/Text: USTPRegion11.MD.ECF@usdoj.gov	Jul 19 2022 19:27:00	U.S. Trustee's Office, 780 Regent Street, Suite 304, Madison, WI 53715-2635

TOTAL: 3

BYPASSED RECIPIENTS

The following addresses were not sent this bankruptcy notice due to an undeliverable address, *duplicate of an address listed above, *P duplicate of a preferred address, or ## out of date forwarding orders with USPS.

NONE

NOTICE CERTIFICATION

I, Gustava Winters, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed .R. Bank. P.2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: Jul 21, 2022

Signature: /s/Gustava Winters

CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on July 19, 2022 at the address(es) listed below:

Name	Email Address
Brent D Nistler	on behalf of Plaintiff Maple Leaf Cheese Cooperative bnistler@hansenreynolds.com pleadings@hansenreynolds.com
Kristin K. Beilke	on behalf of Defendant Maple Leaf Cheesemakers Inc. kbeilke@murphydesmond.com, jsabatke@murphydesmond.com
Scott G. Salemi	

District/off: 0758-3

User: eADluser

Page 2 of 2

Date Rcvd: Jul 19, 2022

Form ID: NtcAdvTL

Total Noticed: 3

on behalf of Defendant Maple Leaf Cheesemakers Inc. ssalemi@murphydesmond.com, kblazek@murphydesmond.com

Timothy M Hansen

on behalf of Plaintiff Maple Leaf Cheese Cooperative thansen@hansenreynolds.com

TOTAL: 4